

1:05cv66

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

JUDGMENT

THIS MATTER having come before the court pursuant to 28, United States Code, Section 636(c) and upon plaintiff's Motion for Summary Judgment and the Commissioner's Motion for Summary Judgment, and having considered the arguments presented and considered the final decision of the Commissioner and determined that it is supported by substantial evidence, as shown in the Memorandum of Decision filed simultaneously herewith,

IT IS, THEREFORE, ORDERED, ADJUDGE, AND DECREED that plaintiff's Motion for Summary Judgment is **DENIED**, the Commissioner's Motion for Summary Judgment is **GRANTED**, and the final decision of the Commissioner is **AFFIRMED**, and this action is **DISMISSED**.

Signed: December 15, 2005

Signed: December 15, 2005

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge



Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

